

Committee Application

Development Management Officer Report	
Committee Application Decision Date: Tuesday 21 April 2020	
Application ID: LA04/2019/1475/F	
Proposal: Construction of 8no. pairs of semi-detached dwellings (16no. units in total for social housing)	Location: Old Park Terrace/Lands south west of No. 22 Old Park Terrace Belfast BT14 6NP
Referral Route: Residential development in excess of 12 units with an objection.	
Recommendation:	Approval Subject to Conditions
Applicant Name and Address: S4S Holdings Limited 93 Killyliss Road Dungannon BT70 1LE	Agent Name and Address: Barry Owens Consulting Limited 38 Highfields Avenue Dublin Road Newry BT35 8UG
Executive Summary: The application seeks full planning permission for 16 residential units. The proposal consists of 8no. Pairs of two and a half storey semi-detached dwellings (16no. units in total). The key issues in the assessment of the proposed development include: <ul style="list-style-type: none">• The principle of development / Loss of open space• Design & layout• Impact on the character and appearance of the area• Impact on amenity• Impact on Historic Monuments• Traffic Movement, Parking & Infrastructure capacity• Other Environmental Matters including contamination The site is within the development limits in both the extant and draft development plans. Open space makes up part of the site and the applicant has made a case to justify the loss of that open space in this case. The proposed land use for housing is acceptable and compatible with the surrounding context. Therefore, the principle of the proposal is acceptable. The design and layout is traditional in form and layout and represents a quality residential environment both for existing and prospective residents. It respects the general characteristics of the area and will have a positive impact on the amenity of the locality. The proposal will not result in an unacceptable impact on residential amenity. All consultees offered no objection to the proposal. One letter of support was received from Choice Housing and one objection was received raising concerns including: Impact on residential amenity, loss of boundaries, impact on security, antisocial behaviour and crime, impact on environmental health. Nuisance from construction and noise pollution, traffic, parking and overload of drainage. These matters are considered in the case officer report.	
<u>Recommendation – Approval Subject to Conditions</u> Having regard to the policy context and other material considerations, it is concluded that on balance the proposal would constitute an acceptable development with much needed regeneration of a brownfield site and provision of social housing. Planning permission is recommended subject to conditions.	

It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by consultees and third parties.

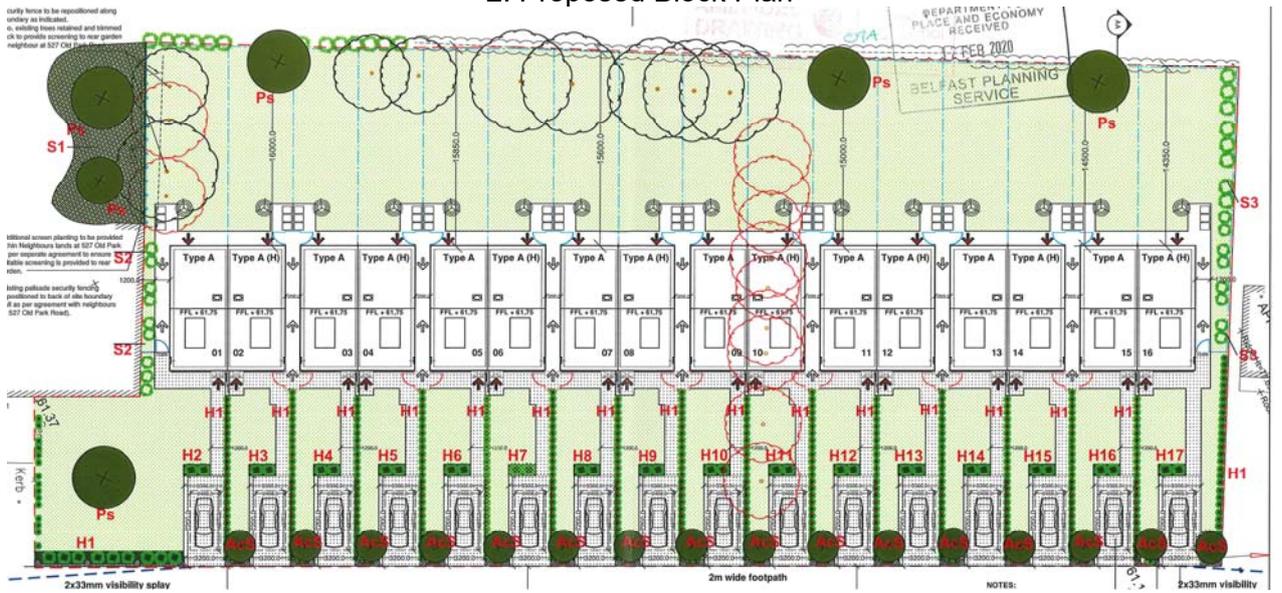
Case Officer Report

Plans

1. Site Location



2. Proposed Block Plan



3. Proposed Street Elevation



AMENDED DRAWING
Drawing Number: 06/8
City Council

BCE DEPARTMENT FOR PLACE AND ECONOMY RECEIVED
12 FEB 2020
BELFAST PLANNING SERVICE

D	SCHEME REDUCED TO 18NO. HOUSES AS PER PLANNING COMMENTS	11.02.20	11.02.20
C	AMENDMENTS AS PER PLANNING COMMENTS	07.01.20	07.01.20
A	PLAN LAYOUT AND ELEVATIONS CHANGED	05.06.19	05.06.19

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	Construction of 16 dwelling units in 8no. pairs of semi-detached dwellings (for social housing).
2.0	Description of Site and Area
2.1	The site is existing vacant lands situated on Old Park Terrace, Belfast located in the north city. The street lies just off Old Park Road which is an arterial route.
2.2	The site has a sloping topography falling 0.3m from the North-East to South West. The site is roughly rectangular in shape with 94m road frontage and is bounded by a 2m high railing to the North, South and South-East/road frontage and trees to the North-West. The site is located in a residential area and residential properties lie to the west and the north of the site boundary and retail supermarket is located south of the site. The neighbourhood is primarily residential in character though it does have a number of commercial properties located along Old Park Road. A school, community buildings and a golf course are also within the vicinity.
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History
	No relevant planning history.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	Draft Belfast Metropolitan Area Plan 2015 The extant development plan is the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. Policy SETT 2 Development within the Metropolitan Development Limits and Settlement Development Limits.
4.3	Regional Development Strategy 2035 (RDS)
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Planning Policy Statement 3: Access, Movement and Parking Planning Policy Statement 7: Quality Residential Developments Planning Policy Statement 7 (Addendum) : Safeguarding the Character of Established Residential Areas Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation Planning Policy Statement 12: Housing in Settlements Planning Policy Statement 13: Transportation and Land Use Planning Policy Statement 15: Planning and Flood Risk
5.0	Supplementary Guidance Creating Places DCAN 8: Housing in Urban Areas Parking Standards DCAN 15: Vehicular Access Standards Living Spaces: An Urban Stewardship and Design Guide for Northern Ireland
6.0	Statutory Consultees
6.1	DFI Roads – No objection

6.2	NI Water – No objection
6.3	Rivers Agency- No objection
6.4	Historic Environment Division- No objection
7.0	Non-Statutory Consultees
7.1	Belfast City Council Environmental Health – No objection subject to conditions
8.0	Representations
8.1	<p>The application was neighbour notified and advertised in the local press. One representation has been received to date from a neighbour at No. 527 Old Park Road raising the following concerns:</p> <ul style="list-style-type: none"> • Infringement of property rights associated with sale of their own property and impact on property value, rights of way and land ownership issues; <u>Officer response:</u> The applicant has indicated that they are in ownership of all the lands within the red line of the site as indicated on the application form where Property Certificate A was completed. The impact on the value of property is not a material consideration. • Impact on residential amenity through the impact on loss of natural light, air and privacy issues, loss of amenity, overlooking and impairment of quality of life; <u>Officer response:</u> It is considered that the proposal will not have a detrimental impact on the residential amenity of neighbours. This is covered under the assessment section of the report. • Removal of perimeter fencing and trees (impact on birds); <u>Officer response:</u> Adequate landscaping and boundary treatments are proposed. The removal of any trees landscaping will be mitigated by the provision of new landscaping which will be conditioned in the decision notice. • Impact on security, antisocial behaviour and crime; <u>Officer response:</u> The proposal offers surveillance across the street. Outlook from units is in compliance with guidance. Issues regarding potential crime and antisocial behaviour are matters out of the control of the planning authority. • Impact on environmental health, nuisance from construction and noise pollution; <u>Officer response:</u> Environmental Health offered no objections to the proposal. • Traffic and parking issues; <u>Officer response:</u> DFI Roads offered no objections to the proposal. It is the responsibility of DfI Roads / PSNI to enforce illegal parking. • Overload of drainage; <u>Officer response:</u> NI Water and Rivers Agency offered no objections to the proposal. • Impact on the character of the community by way of social housing provision at this location. <u>Officer response:</u> Social Housing is assessed in the same manner as private housing, the planning authority does not differentiate when applying planning policy in order to achieve a quality residential development for both existing and prospective residents. Social housing provision brings wider community benefits. <p>One letter of support was received from Choice Housing. The letter acknowledged the objection which was submitted and it highlighted that they were content with the design of the scheme and that it had been designed to the DfC Design Guide Standards and</p>

8.2	approved by the NIHE. Choice Housing commented that there was a need for this scheme to help address unmet social housing need in this area of North Belfast.
9.0	Assessment
9.1	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> • The principle of development / Loss of open space • Design & layout • Impact on the character and appearance of the area • Impact on amenity • Impact on Historic Monuments • Traffic Movement, Parking & Infrastructure capacity • Other Environmental Matters including contamination
9.2	<p>The principle of development and use at this location</p> <p>The site is within the development limits of Belfast as designated in both the BUAP and draft BMAP. It does not fall within any designations but lies in close proximity to the Oldpark/Cliftonville Road Arterial Route, in the Draft Belfast Metropolitan Area Plan. The Strategic Planning Policy for Northern Ireland (SPPS) is a material consideration for all decisions on individual planning applications and provides general policy context. The immediate area is primarily characterised by residential properties which are within walking distance to local amenities and recreational areas around the Oldpark Road area.</p>
9.3	<p>Open Space</p> <p>PPS 8 Open Space, Sport and Outdoor Recreation defines open space as ‘all open space of public value.’ Annex A of PPS 8 highlights that outdoor sports facilities (with natural or artificial surfaces and either publicly or privately owned) – including tennis courts, football pitches etc. and other outdoor sports areas fall within the definition of open space. Part of the site was formerly used as a five a side soccer pitch and would fall under the definition of open space and therefore its loss must be assessed against the tests set out in PPS 8 Open Space Sport and Recreation. The area of existing open space represents approximately 1,400 square metres 40% cover of the site.</p>
9.4	<p>Policy OS 1 highlights that a planning authority will not permit development that would result in the loss of existing open space. The presumption against the loss of existing open space will apply irrespective of its physical condition and appearance. An exception will be permitted where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of open space. In order to comply with Policy OS 1 of PPS 8 the applicant provided a justification for the loss of this open space in terms of showing that the redevelopment will bring substantial community benefits that decisively outweigh the loss of open space.</p>
9.5	<p>The agents argue that the principle community benefit in this case is the provision of social housing, in an area of need and that outweighs the loss. They refer to another case, decided by the Planning Appeals Commission (PAC) which allowed open space to be set aside for social housing. McClure Street, where a loss of open space was accepted to bring substantial community benefit (2016/A0102 & Z/2014/0586/F for the construction of 20 No. 3 bedroom and 7 No. 2 bedroom social housing dwellings with associated landscaping for Apex Housing). Whilst the appeal was dismissed, this was based on other amenity grounds.</p>

9.6	<p>The applicant provided compelling evidence which shows that the site was previously occupied by housing. It was highlighted from an extract of a 1969 map that the street historically had a form of built development most likely in the form of terraced dwellings occupying it. An extract from a 1983 OSNI map shows that these properties had been demolished.</p>
9.7	<p>The applicant forwarded housing needs figures. These are contained in the Belfast Housing Investment Plan 2019-2023. This confirms the need for 1400 dwellings over the next 4 years within North Belfast. The proposal has the support of both Choice Housing and the Housing Executive. The site is identified in the general needs client group under the NIHE investment plan. The Housing Investment Plan 2019-2023 also indicates that within North Belfast there were 1984 applicants on the waiting list, 1570 of whom were considered to be in housing stress.</p>
9.8	<p>Other community benefits presented were the generation of employment within the construction industry and the opportunity for apprenticeships for local unemployed people for the duration of the building works. As a result it is considered that on balance the proposal represents a substantial community benefit and outweighs the loss of open space and overall, the proposal would fulfil the main objectives of the policy.</p>
9.9	<p>Design, layout and impact on the character and appearance of the area The proposal consists of 8 pairs of two and half storey dwellings (16no. units in total). The dwellings measure approximately 93 square metres in total floor space area. Each unit has a rear garden with a green area and parking space to the front. The dwellings are proposed to be bounded by a wall and railings to the front and close boarded timber fencing to the rear gardens. Proposed trees and planting will help to improve the visual amenity of the site.</p>
9.10	<p>Density The surrounding area is defined by a mixture of medium density housing, retail, community and educational buildings. The proposed density of development would be within the density parameters already established in the local area.</p>
9.11	<p>Design The form of the development which consists of traditional two and a half storey dwellings with pitched roofs is in keeping with the character of the wider area. The external materials proposed include red clay facing brick and smooth render (colour white), grey/black coloured roof tiles, and uPVC rainwater goods, doors and windows. The design, building line, ridge heights, fenestration and solid to void proportions are typical of the surrounding area. As such the proposal is in keeping with the locality and is compliant with PPS 7 Policy QD1. The proposed dwellings maintain the established building line along the street which helps it to integrate into the existing urban grain.</p>
9.12	<p>Amenity Space Amenity space provision for the dwellings are well in excess of minimum standards as set out in supplementary guidance, with provision of private amenity space ranging from 70 sqm and increasing to approximately 90 sqm for some units. The site will be bounded by palisade security fencing to the rear of the development and along the boundary with No. 527 Old Park Terrace. Soft planting, timber fencing, walls and railings will form the remaining boundaries.</p> <p>Waste</p>

	<p>The scheme has been amended to provide appropriate access from the rear gardens to the front of the site to allow prospective residents to bring bins to the front on bin collection days.</p>
9.13	<p>Overall the proposed development would not cause unacceptable harm to the local character, appearance and environmental quality of the area of the area in accordance with Policy QD1 of PPS7, Policy LC1 of PPS7 Addendum, Creating Places and the SPPS.</p>
9.14	<p>Impact on neighbouring amenity</p>
9.15	<p>The layout/aspect of all buildings within the site is such that there will be no significant overlooking into neighbouring properties. This includes the objector's property at No. 527 Old Park Road. In addition, there is sufficient separation distances to existing neighbouring properties to ensure that dominance and overshadowing will not occur to an unacceptable degree. A separation distance of approximately 18m is proposed between No. 527 Old Park Road and unit No.1. This ensures that there will be no issues with loss of light, overshadowing or overlooking. It is considered that the proposal will not have a detrimental impact on the residential amenity of any neighbours. In terms of prospective residents, each unit has adequate outlook to the public street and external amenity areas. It is considered that the design, layout and separation distances proposed are acceptable and will not impinge on residential amenity via overlooking, dominance, loss of light or overshadowing.</p>
	<p>Impact on Historic Monuments</p>
9.16	<p>The application site is located on the site of a terrace of houses marked on the 1st Edition Ordnance Survey map, potentially the dwellings of workers in the nearby Old Park Print Works. These buildings are therefore of historical interest as well as potentially part of the industrial heritage of Belfast. While the houses are no longer in situ, it is possible that below-ground remains associated with these buildings may still survive on site. HED: HM is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any possible below-ground remains associated with the former houses on site in advance of new construction, as per Policy BH 4 of PPS 6. This will be subject to a condition.</p>
	<p>Traffic Movement and Parking</p>
9.17	<p>This is a highly accessible sustainable location. The development lies within close proximity of public transport routes along Oldpark Road and Cliftonville Road. Each unit has a dedicated incurtilage parking space, this is below standard however, given the location of the site in proximity to public transport options it is considered that the proposal is acceptable in terms of PPS 3 as the proposal will not result in a significant impact on traffic or road safety. DFI were consulted on the proposal and have offered no objections. In light of the above, it is considered that the proposed development would be acceptable in terms of highway safety, capacity and car parking in accordance with the SPPS, PPS3, Policy QD 1 of PPS7, Creating Places, BUAP and Draft BMAP.</p>
	<p>Drainage, flooding and infrastructure capacity</p> <p>The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain. DFI Rivers have reviewed the drainage assessment and offer no objections to the proposal. NI Water have no objection to the proposal. Owing to the scale and nature of development proposed, it is not considered that proposed development would have a significant impact on existing infrastructure and as such, there are no issues of principle. In addition, connections to the water and foul sewer system are covered by separate legislation.</p>

9.18	<p>Other Environmental Matters including contamination The proposal will not result in an unacceptable impact in terms of noise, air quality or contamination issues. Environmental Health has no objection subject to conditions.</p>
9.19	
10.0	Summary of Recommendation – Approval subject to conditions
10.1	Taking all factors into consideration, on balance, the proposal is considered acceptable and approval is recommended subject to conditions.
11.0	Conditions
11.1	<p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
11.2	<p>If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: Protection of human health.</p>
11.3	<p>The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Drawing No. 08A, published on the Planning Portal 13th February 2020, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.</p> <p>Reason: To ensure that adequate provision has been made for parking within the site.</p> <p>The vehicular accesses shall be constructed in accordance with Drawing No. 02A, published on the Planning Portal 13th February 2020.</p>
11.4	<p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>Access gates, if erected, shall not open out over the public road, verge or footway.</p>
11.5	<p>Reason: In the interest of pedestrian safety, road safety and convenience of road users.</p> <p>No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted</p>

<p>11.6</p>	<p>by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for: The identification and evaluation of archaeological remains within the site; Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and Preparation of the digital, documentary and material archive for deposition.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition L15a.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
<p>11.7</p>	<p>A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition L15a. These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.</p>
<p>11.8</p>	<p>Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.</p>
<p>11.9</p>	<p>All hard and soft landscaping works shall be carried out in accordance with the approved details as per drawing No 09a date stamped 12th February 2020. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the City Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the City Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the area.</p> <p>If within a period of 5 years from the date of the planting of any proposed tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.</p> <p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p>

11.10	
11.11	The boundary treatments as shown on drawing X date received X shall be completed prior to occupation of each dwelling unit hereby approved. Reason: to ensure a quality residential environment.
12.0	Notification to Department (if relevant) N/A
13.0	Representation from elected member: Cllr Nicholl forwarded Objection from constituent only – no further representation

ANNEX	
Date Valid	26th June 2019
Date First Advertised	12th July 2019
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
1 – 19 Dunowen Gardens,Belfast,Antrim,BT14 6NQ	
10 -15b Oldpark Terrace,Belfast,Antrim,BT14 6NP	
17-21 Youth Club Centre,Oldpark Terrace,Belfast,Antrim,BT14 6NP	
2 Oldpark Terrace,Belfast,Antrim,BT14 6NP	
22 Oldpark Terrace,Belfast,Antrim,BT14 6NP	
24 Oldpark Terrace,Belfast,Antrim,BT14 6NP	
521 Oldpark Road,Belfast,Antrim,BT14 6QU	
527 – 533 Oldpark Road,Belfast,Antrim,BT14 6QU	
Deerpark Post Office,523 Oldpark Road,Belfast,Antrim,BT14 6QU	
Date of Last Neighbour Notification	26 th February 2020
Date of EIA Determination	N/A Site less than 0.5Ha
ES Requested	No

Drawing Numbers

01, 02B, 03, 04A, 05A, 06B, 07B, 08A, 09A.

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department: